

Federal Communications Commission

DA 02-3429

Before the
Federal Communications Commission
Washington, D.C. 20554

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|--|---|----------------------|
| In the Matter of |) | |
| |) | |
| Amendment of Section 73.622(b), |) | MB Docket No. 02-273 |
| Table of Allotments, |) | RM-10562 |
| Digital Television Broadcast Stations. |) | |
| (Tuscaloosa, Alabama) |) | |

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 12, 2002

Released: December 19, 2002

By the Chief, Video Division:

1. At the request of TV Alabama, Inc. ("TV Alabama"), licensee of station WCFT-TV, NTSC channel 33, the Commission has before it the Notice of Proposed Rule Making, 17 FCC Rcd 17108 (2002), proposing the substitution of DTV channel 5 for station WCFT-TV's assigned DTV channel 34c. TV Alabama filed comments supporting the channel substitution at Tuscaloosa. No other comments were filed.

2. We believe the public interest would be served by allotting DTV channel 5 in lieu of DTV channel 34c since it will enable station WCFT-DT to build out its DTV facility at an earlier date, while increasing its interference-free service area. DTV channel 5 can be allotted to Tuscaloosa, Alabama, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 33-28-48 N. and 87-25-50 W. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WCFT-DT with the following specifications:

| State & City | DTV Channel | DTV power (kW) | Antenna HAAT (m) | DTV Service Pop. (thous.) |
|---------------|----------------|-------------------|---------------------|------------------------------|
| AL Tuscaloosa | 5 | 5.4 | 641 | 1431 |

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 3, 2003, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below. to read as follows:

| <u>City</u> | <u>Channel No.</u> |
|---------------------|--------------------|
| Tuscaloosa, Alabama | 5 |

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, TV Alabama, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 5 in lieu of DTV Channel 34c for station WCFT-DT

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau. (202)418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau